

PATENT

Atty. Dkt. No. APPM/004100,P9/PPC/CMP/CKIM

REMARKS

This is intended as a full and complete response to the Office Action dated July 19, 2005, having a shortened statutory period for response set to expire on October 19, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-30 remain pending in the application and are shown above. Claims 1, 2, 9, 19, 20 and 22-29 stand rejected, claim 30 stands withdrawn by the Examiner, and claims 3-8, 10-18 and 21 are objected by the Examiner. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 1 and 29 are amended to clarify the invention. Applicant respectfully requests entry of the claims as amended. Applicant has also added new claims 31 and 32 to claim aspects of the invention removed from claims 1 and 29. No new matter has been added.

Claims 1, 22 and 23 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Emesh, et al.* (U.S. Patent No. 6,802,955). Applicant respectfully traverses the rejection on grounds that U.S. Patent No. 6,802,955 does not teach, suggest, or provide motivation for the invention as claimed. Specifically, U.S. Patent No. 6,802,955 does not teach a processing pad assembly having an upper layer having a central aperture and a processing surface, and an electrode coupled to the upper layer, wherein a first set of holes is formed through the upper layer for exposing the electrode to the processing surface, as recited in claim 1. Withdrawal of the rejection to claim 1, and claims dependent thereon, is respectfully requested.

Claims 1, 2, 9, 19, 20, 22-25 and 27-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Emesh, et al.* (U.S. Patent Publication No. 2002/01088661). Applicant respectfully traverses the rejection on grounds that U.S. Patent Publication No. 2002/01088661 does not teach, suggest, or provide motivation for the invention as claimed. Specifically, U.S. Patent Publication No. 2002/01088661 does not teach a processing pad assembly having an upper layer having a central aperture and a processing surface, and an electrode coupled to the upper layer, wherein a first set of holes is formed through the upper layer for exposing the electrode to the processing

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surface, as recited in claim 1. Further, U.S. Patent Publication No. 2002/01088661 does not teach a processing pad assembly having a conductive upper layer, a corrosion resistant conductive metallic lower layer having a top side coupled to the conductive upper layer, and a first set of holes formed through the conductive upper layer for exposing the electrode to the processing surface, as recited in claim 29. Withdrawal of the rejection to claim 1, and claims dependent thereon, and the rejection to claim 29, is respectfully requested.

Claims 1 and 22-28 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5, 10, 11, 13, 17-20, 24 and 32 of copending Application No. 10/642,128. Applicant submits that Application No. 10/642,128 has been allowed and submits along with this paper a terminal disclaimer for said application. Withdrawal of the rejection is respectfully requested.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

The secondary references cited in the Notice of References Cited are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



Keith M. Tackett
Registration No. 32,008
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant(s)

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